

LAW ENFORCEMENT NEWS

Vol. XXX, No. 622

A publication of John Jay College of Criminal Justice/CUNY

August 2004

Getting away with murder in Richmond

The loss of experienced detectives, coupled with increasingly frightened and reluctant witnesses, are among the factors that Richmond, Va., officials cite as contributing to a homicide rate in which nearly two-thirds of killers got away with their crimes from 2000 through 2002.

According to an analysis of arrest and court records by The Richmond Times-Dispatch in May, police arrested suspects in 48 percent of 224 murders occurring in 2000, 2001 and 2002. Sixty-eight of those murders resulted in conviction, or just 30 percent of the total for those years studied. In surrounding counties, the conviction rate was more than twice as high, the newspaper reported.

In 2000, Richmond police closed 32 percent of homicides, as compared with a nationwide average of 63 percent. The agency did better the following year, closing 59 percent of homicides, although still lagging behind the national average of 62 percent. And in 2002, the figure fell to just 29 percent, compared to a national average of 64 percent.

Last year, however, Richmond detectives closed 77 percent of their cases.

But that same year, the city recorded its highest homicide total, with 94. There were arrests in 44 cases, with one case including three victims in a murder-suicide incident. Twelve cases ended in convictions and three in acquittals.

Richmond judges and juries tended to acquit more homicide defendants than did their counterparts in other cities between 2000 and 2002. While 10 percent were acquitted in Richmond during those years, only 2 percent were

Continued on Page 10

The same, only different Reforms, not riots, come quickly on the heels of latest videotaped LAPD beating

Los Angeles police supervisors will thoroughly investigate some use-of-force incidents that the department had previously treated as routine, and will move decisively to separate officers to prevent the public perception that they were given an opportunity to confer and get their stories straight, under a directive issued this month by Chief William Bratton.

That order, and another one that will end the department's use of heavy, metal flashlights in favor of smaller, rubber-coated ones, came in response to the beating in June of 36-year-old Stanley Miller, an unarmed black suspect who was hit 11 times with a flashlight after a chase by police.

A television helicopter captured footage of the incident, which began with officers chasing a suspected stolen car. Miller was spotted running a stop sign in South Los Angeles and found to be driving a car that was reported stolen. The 28-minute chase ended with a foot pursuit in Compton. Miller appeared to be surrendering when he was forced to the ground and struck with the flashlight, according to what appeared on the tape.

Among other changes, LAPD cops will soon discontinue the use of their two-pound steel flashlights.

Sources said that Officer John J. Hatfield, who administered the blows after two other officers were on top of Miller, told investigators he thought the suspect had a gun. Bratton has confirmed that wire cutters were found, although Miller denies having them.

While the case has been compared with the Rodney King incident in 1991, there was at least one crucial difference — the city has remained quiet as officials sort out what happened that night.

Bratton has met with the Rev. Al Sharpton, the black activist with whom he had tangled while serving as New York City's police commissioner.

"Clearly, many of us around the country are outraged at what we saw in the video," said Sharpton. "But the outrage must lead to results where the citizens and police are protected."

Bratton's directive applies to cases in which police try to determine whether an incident involved a "categorical" use of force, which involves blows to the head or other serious injury, or "non categorical," which would mean a comparatively minor incident.

The four-page guideline and an oral presentation were given to the department's 88 member command staff. It took supervisors 45 minutes to determine the level of force used in the Miller case. During that time, the eight officers involved were allowed to stay together.

Bratton announced the reforms to a committee appointed by Mayor James Hahn to oversee the department's investigation into the beating. The order took effect immediately.

Continued on Page 7

Is the ax about to fall on upgrade to FBI's info-sharing capability?

With the project already years behind schedule, there is now the possibility that a crucial component of a long-awaited computer system which would allow FBI agents to share information easily may have to be abandoned altogether, according to one bureau official.

The official, who spoke with The New York Times on condition of anonymity, questioned why agents are being trained in the use of a system that may never see the light of day. The long delays could cause the bureau to re-evaluate the project, he said.

Approved by the 2000 Congress as a component of the Trilogy project, the Virtual Case File system was conceived as a part of a 36-month plan to improve the FBI's technology systems and software. It had been hoped that the technology would be available by the end of the year, but officials now say they cannot predict when the entire system would be operational.

FBI Director Robert S. Mueller III told a Senate panel in the wake of the Sept. 11, 2001, terrorist attacks that the bureau's computer systems were so out of date that

agents could not search for terms in combinations like "flight" and "school," but only search those terms out separately.

Staff members from the Sept. 11 commission reported that the technology consultant brought in by former director Louis J. Freeh to head the project told them that given the enormity of the task, his goal was "to merely 'get the car out of the ditch'."

The bureau's primary information system, the staff members said, was designed using 1980s technology and was "already obsolete" when it was installed in 1995. Field agents did not know what agents in their own office, let alone at other sites, were working on, according to a staff report.

So far, roughly \$500 million has been pumped into the four year project. The FBI has received new computers and access to e-mail and the Internet for agents. However, a reported released in May by the National Research Council said the bureau was "not on the path to success." While a subsequent report said improvement had been made, there remained "many important challenges."

Herbert S. Lin, an author of the report, said in June that the bureau's more gradual approach to introducing the Virtual Case File was a preferable way to upgrade the technology than was a "big-bang approach" which the council never believed was the way to go.

Nonetheless, The Times reported, the continued delays are an embarrassment to Mueller, who has made upgrading FBI technology a centerpiece of his efforts to

Continued on Page 7

FCC agrees to clear the airwaves to make more room for public safety

After years of complaints about radio interference caused by Nextel Communication Inc.'s cellular network, public safety agencies are finally going to have their own blocks of airwaves on the crowded 800-megahertz band used by both entities, under an agreement approved in July by the Federal Communications Commission.

The FCC has received reports about interference to public safety communications systems since 1999. In cities such as Tigard, Ore., signals from cell phone towers transmitting on the 800-megahertz frequency created dead zones — one exists just a few blocks from the Tigard's police station. A tower in Phoenix owned by Nextel interfered with the ability of police and fire radios to

transmit or receive transmissions for nearly three-quarters of a mile around the site.

Under the plan that was unanimously approved by the commission, Nextel would receive spectrum rights valued by the FCC at \$4.8 billion in exchange for vacating certain of its 800-megahertz channels and all of its 700-megahertz channels that are currently interlaced with those used by first responders.

The company will be required by the federal government to establish escrow accounts, and would be issued a letter of credit in the amount of \$2.5 billion to ensure adequate funding for the retraining of public safety equipment. In addition, Nextel will provide another 4.5 megahertz of 800-

megahertz band spectrum — the equivalent of 90 additional two-way channels available to public safety and critical infrastructure. The spectrum includes 10 channels for interoperability.

Nextel's plan was proposed in 2002 and has the support of the Association of Public Safety Communication Officials (APCO) and the International Association of Chiefs of Police, the National Sheriff's Association and other public safety and law-enforcement groups.

"I think you'll find most public safety agencies are pretty happy with this," said Al Sines, former head of the Metropolitan Police Department's radio shop and now a

Continued on Page 10

AROUND THE NATION

NORTHEAST



CONNECTICUT — Wilton Police Sgt. James Dempsey has been sending used bulletproof vests to Connecticut troops serving in Iraq to line the bottom of their Humvees. The Trumbull Police Department donated stacks of the vests that are no longer usable as did the Shelton Police Department.

DISTRICT OF COLUMBIA — The street crimes unit of the capital's Third Police District, made up of 15 officers, has so far seized more than 80 firearms this year, pushing the department's total to over 1,000. The officers typically pull over drivers for traffic violations like tinted windows or improperly displayed license plates but as Officer Chris Petz said, "Little things lead to the big things." If the current pace continues, more firearms will be recovered this year than in any year since 2000.

MARYLAND — Four days after the killing of Baltimore police officer Brian Winder, the second suspect in the shooting shot and killed himself in a motel room as police were closing in. Winder had been responding to a 911 call from a liquor store when he approached two men and asked for identification. One of them was apparently a suspect he had arrested earlier in the week. The suspect began firing at him in the store and struck him three times. One of the men was arrested at the scene and charged with first degree murder.

MASSACHUSETTS — A confusing situation in July left the town of Stoughton with two police chiefs. Mamel Cachopa, whose personal contract with the town expired at midnight on July 1, said his union contract allowed him to keep the job, although David Chamberlin, a veteran lieutenant, was ready to take over as acting chief. The mishap was a result of a battle between the town selectmen and Cachopa, which now heads for arbitration. Supporters of Cachopa say that the matter is a vendetta by one of the selectmen who owns a grocery store where a minor was caught buying liquor. Chamberlin, who was due to retire in 18 days, said it was not unusual for him to fill in when the chief is out.

NEW JERSEY — A state superior court judge has ruled against a Teaneck township firefighter who tried to rescind police promotions made last year, and dismissed his claim that the promotions were politically motivated. Firefighter Bill Brennan said that the promotions were not valid because the township had not listed the positions in an organizational chart. The judge ruled that Brennan has essentially become a self-appointed roving commission to root out municipal wrongs, and did not have standing to file suit in this case.

NEW YORK — New York City Police Officer Suzanne Biscardi, 34, was arrested and suspended without pay in June after being charged with stalking her ex-girlfriend. Her ex-lover said that Biscardi followed her on several occasions after they broke up and sat outside her Long Island home and workplace.

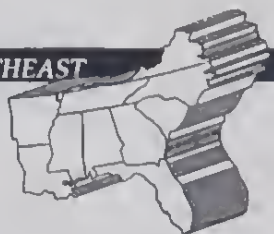
The state Court of Appeals has ordered the city of Schenectady to turn over information about officers' use of force toward civilians — information that the New York Civil Liberties Union has been seeking for more than four years. Two lower courts had upheld the town's decision not to turn over the data, based on an intra-agency records exemption under the Freedom of Information Law. However, Chief Judge Judith Kaye opined that a supreme court justice should see the information first to remove anything that violates anyone's confidentiality.

The Legislature has approved a bill that would require many more people to submit genetic samples to the state's DNA database. Samples will now be required from pimps, eavesdroppers, bail jumpers and people convicted of dozens of other crimes.

PENNSYLVANIA — Erie's Sigsbee Reservoir was shut down for several hours in May so that a bomb squad and hazardous materials crews could x-ray and test a suspicious bag spotted by a Water Works employee. Police eventually tracked down the man who left the bag, which turned out to contain a pair of soiled underwear. The 18-year-old offender said that he got sick and soiled his underwear. He changed at a friend's house and then climbed over two barbed wire fences to dump the black bag. A judge gave him a 90-day suspended sentence for trespassing and ordered him to pay \$5,000 in restitution.

RHODE ISLAND — Woonsocket Police Officer Maureen Andreoni was arrested July 5 on a charge of domestic assault after her boyfriend called the police. She was placed on modified work assignment and will not be allowed to carry a firearm while off duty until the charge is resolved.

SOUTHEAST



ALABAMA — The rifle that authorities believe was used in the June 17 slayings of Birmingham officers Harley Chusholm III, Carlos Owen and Robert "Bob" Bennett, would be illegal under the proposed 10-year extension of the assault weapon ban that is currently bogged down in Congress. The SKS rifle, whose rounds can go through protective vests, is said by gun control advocates to be the semiautomatic weapon most often used against police officers.

FLORIDA — A new law prohibiting the creation or maintenance of certain firearm records, which took effect on July 12, has law enforcement officials across the state scratching their heads. They say the law, championed by the National Rifle Association, is too broad and confusing. The new statute says that a registry can become a tool for "profiling, harassing, or abusing law-abiding citizens based on their choice to own a firearm," but the law does not define what is meant by a registry or list, and law enforcement officials are confused over what to do with paper documents.

St. Petersburg police are seeking more firepower in the form of second handguns to hide on their persons, just weeks after

getting approval to carry assault rifles in their patrol vehicles. Some officials worry that backup weapons can be used to plant on suspects or may get lost during scuffles.

On July 1, the state turned off the electronic shackles used to monitor juvenile offenders confined under house arrest. Gov. Jeb Bush said that the state can not afford the \$2.2 million annual cost of the system, which was used on teens charged with less serious property crimes than those sentenced to detention centers.

GEORGIA — In Atlanta, several thefts of automated teller machines have occurred in which the perpetrator hot-wired construction vehicles such as forklifts or bulldozers and drove to nearby banks, where they yanked the cash machines from their bases. The vehicles were found days later, with the ATMs inside, either abandoned or "burned to a crisp." Suwanee police Capt. Clyde Byers believes the "ram raids," as they are called in banking circles, are the work of a construction worker, who has used his machinery skills to earn some easy money.

LOUISIANA — An off-duty New Orleans police officer killed her estranged husband with her service pistol on July 2 when he forced his way into her home and attacked her. The officer, who has not been identified, was home with their three children, when her husband arrived and tore off the home's screen door. She called police and the man forced his way in and began choking her. She got away from him and shot him twice. The officer has been reassigned to administrative duties pending an investigation.

TENNESSEE — State trooper Angela Crawford is on administrative leave with pay after shooting her brother in the leg during an argument over borrowed butter. As the dispute with her brother, Jason K. Bilbrew, 19, escalated from an argument to a shoving match, Crawford said she went to her bedroom to get her gun, a Glock semiautomatic. Crawford said that the gun went off accidentally when the two wrestled. Bilbrew told investigators that he did not want his sister prosecuted for the shooting.

VIRGINIA — Roanoke Police Chief Joe Gaskins has started a police cadet program as a way to enhance recruiting efforts. The cadets, who must be 18 to 22 years old, can work up to 20 hours a week at \$10 an hour. Once cadets reach the age of 22, Gaskins hopes to be able to offer them full-time jobs, provided they successfully complete the police academy. Cadets will be involved in a variety of nonenforcement activities.

MIDWEST



ILLINOIS — Chicago police made 27 arrests in back-to-back missions June 15 and 16 in the Calumet District, as part of a new initiative called Operation "Ten-Tre." Street lingo for 103rd, Ten-Tre targets an open-air drug market that is operated by members of the Gangster Disciples street gang. The operation came in response to numerous complaints from residents. In the last six months, police have arrested at least 160 known dealers and dismantled 12 open-air drug markets.

INDIANA — Anderson will be scrapping its DARE program to concentrate on a new program that will target at-risk students. The new program will require that three officers work in the city elementary schools and become involved in all facets of the school, not just classroom teaching, in an effort to build strong relationships with students.

KENTUCKY — Harding County Assistant Commonwealth's Attorney Robert W. Stevens was fired after being caught on videotape having sex with a defendant. Erica L. French, who had pleaded guilty in March to drug charges, said that Stevens told her he would use his influence to have her charges dropped if she had sex with him.

MICHIGAN — Michigan State Police have reported a huge increase in drivers arrested on drug-related charges, and State Police labs are experiencing a backlog since a new zero-tolerance law went into effect that charges drivers who are under the influence of illegal drugs. While police still must have probable cause to pull over a driver, the law lowers the threshold for proving a driver is impaired.

OHIO — A grand jury has indicted Robert N. Patton, Jr. on charges related to 37 rapes after DNA evidence linked him to the crimes. Patton had to give a DNA sample when he was released from the Orient Correctional Institution in 2001 but it sat untested for close to three years because of budget problems. The string of rapes began in 1987; five of them occurred after Patton gave the sample.

Daniel Reinker of Columbus faces 20 counts of voyeurism after allegedly using a cell phone camera to take pictures beneath the skirts of several females. Reinker was apprehended after a woman in a grocery store spotted him using the phone to take pictures up a 14-year-old girl's dress. Reinker is also charged with tampering with evidence for trying to erase the phone's memory when he was arrested. [See also LEN, July 2004]

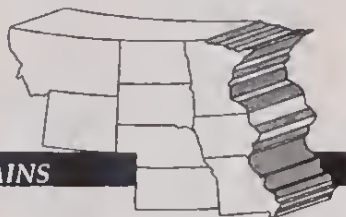
Thousands of drivers are awaiting the decision of Franklin County Municipal Court judge Michael T. Brandt, who has been asked to forgive tickets and clear the records of drivers whose licenses were suspended by the village of New Rome. The village, where police would often suspend licenses for infractions such as a missing taillight, and where municipal offices have a history of theft, no longer has a police department or a mayor's court. The state wants to dissolve the village.

WEST VIRGINIA — The state Supreme Court ruled unanimously June 17 that State Police officials acted properly when they fired trooper Terry G. Montgomery, who was found passed out drunk in his police cruiser behind headquarters. Montgomery had argued that the police should have reversed his discharge since he was cleared of all criminal charges. Those charges were dropped because the circuit judge found that troopers had failed to read Montgomery his rights before conducting a sobriety test.

The Mineral County Commission announced that it will provide funds to buy handguns for its sheriff's deputies. Many commissioners said that they only learned recently that deputies had to purchase their own weapons.

WISCONSIN — After a six-year hiatus, the

Milwaukee Police Department's gang unit has reappeared, conducting a sweep on June 14 that netted 20 members of the Spanish Cobras gang. So far this year, the city's near south side has witnessed 11 homicides, compared with 12 in all of 2003. The Spanish Cobras, often considered the city's first gang, has been recruiting heavily in the past 18 months.



PLAINS

IOWA — In July, a law took effect that made it illegal to buy more than two packages at a time of medications containing pseudoephedrine, a decongestant used in the manufacture of methamphetamine. In addition, stores must keep such medicines behind the counter or within visibility of a store clerk. Iowa ranked eighth in the nation last year in the number of meth labs. Iowa is the tenth state to enact such legislation. [See LEN, July 2004]

Court officials say there has been a disturbing trend in an increasing number of juveniles prosecuted for sexual offenses. While authorities say that youths are learning about sex at a younger age, some believe that the increase may be due in part to greater reporting by victims.

MINNESOTA — Based on preliminary statistics from 300 law enforcement agencies in the state, nearly 11,000 citations were issued to drivers who were not wearing seat belts when they were stopped for other traffic violations during the "Safe and Sober" campaign that ran from May 24 through June 6.

The Minnesota Gang Strike Force will continue operating into next year, after Gov. Tim Pawlenty found \$650,000 in the state Department of Public Safety's budget. The strike force had faced elimination after the Legislature adjourned in July without approving its budget.

For the first time in more than 50 years, the Minneapolis Police Department has deployed motorcycles for traffic enforcement, after 11 gleaming new Harley-Davidson Electra Glide Classics were leased for just \$1 a bike. Officers will be trained in everything from formation riding to specific skills like driving on a sidewalk. The department will have to pay a one-time \$25,000 installation and equipment fee.

MISSOURI — Gov. Bob Holden has signed a bill that will allow State Highway Patrol troopers to serve on school boards. The law carves out an exception to a 1931 rule that bars them from holding "any other commission or office, elective or appointive, while a member of the patrol." Ken Sears, executive director of the Missouri Troopers Association said that his organization will press its efforts to remove other prohibitions on troopers' political activities.

Columbia Police Officer Steven Ruos, who is a "person of interest" in the slaying of University of Missouri student Jesse James Valencia, has admitted to having a homosexual relationship with the victim. A witness said that Valencia had told Ruos he was going

to tell the police chief about the relationship. Ruos has been in a state mental hospital after making two suicide threats.

NORTH DAKOTA — The University of Mary, a Bismarck-based school, is launching a bachelor's degree in management with a concentration in criminal justice at its Grand Forks and Fargo campuses. An advisory group of law enforcement officials and attorneys worked with the university to develop the program. Fargo Police Chief Chris Magnus, whose department requires a two-year degree or the equivalent, said that the department's long-term goal is to require a four-year degree for new officers.

Burleigh County Sheriff Steve Berg recently found an on-the-job application for his hobby of restoring muscle cars, using his own time and expense to turn the department's four new all-white Ford Crown Victorias into old-style black and whites, with large yellow "sheriff" decals on the sides. The state gets a discount on the white Fords and many agencies have purchased them, but Burleigh deputies didn't want their vehicles to look like other departments' cars.

Law enforcement agencies from across the state will be pooling resources to create a centralized Criminal Justice Information System. Agencies will be able to access information from the adult and juvenile court systems, the attorney general's office, the state bureau of criminal investigation, and police and sheriff's departments from across the state. Federal grants will cover the \$8 million price tag, while member agencies will be charged a fee to cover the \$1.5 million in operating expenses.



SOUTHWEST

COLORADO — The Durango City Council has unanimously agreed to support the police department's current practice of not identifying illegal immigrants or turning them over to the federal government unless they commit crimes. Supporters of the resolution say it will encourage immigrants to call police or use government services if they do not have to fear deportation.

Robert Edward Haeger of Walsenburg, a lawyer and part-time county judge, is suing the FBI for improperly releasing his name as an informant in a drug investigation of another judge. The FBI maintains that it only gave Haeger's name to the state supreme court's office of attorney regulation, from which Denver lawyer William Danks obtained it and disseminated it to other people. Haeger said that his income has plummeted since being identified.

Thornton Municipal Judge Charles J. Rose testified on June 21 that he was forced to have a SWAT team protect his home after he received a threatening letter from a gun-rights activist. The letter, or "notice of order," which threatened to have Rose arrested for treason, was written by Rick E. Stanley, according to Adams County prosecutors. Rose had convicted Stanley for illegal possession of a firearm and sentenced

him 90 days in jail. Rose's testimony came in a prosecution of Stanley on felony charges of attempting to influence a public servant.

NEW MEXICO — According to a police audit, the Albuquerque Police Department is not properly documenting officers' use of force. Deputy Chief Fowler Johnston told the city's Police Oversight Commission that the lapse was due to a lack of sergeants who know proper documenting procedure, and said that the department has since promoted 17 sergeants to supervisory positions to address the problem.

Santa Fe Police Officer Matthew Martinez's mobile home was destroyed by fire on July 6 and police suspect arson. Santa Fe County Sheriff Greg Solano said that it was not known whether it was targeted because Martinez is a policeman but last month the home was vandalized and several curse words as well as the word "pigs" was painted on the trailer. The fire, which occurred while Martinez was on duty, left him with nothing but the uniform on his back.

TEXAS — Seven Dallas police officers have filed a lawsuit seeking \$1 million each based on their claim that they were discriminated against in the disciplinary process and denied promotions because they are white or do not speak Spanish. Leaders of various minority associations called the claims absurd.

Officials say that the \$1.5 million from the federal government to reimburse South Texas counties for jailing undocumented immigrants is not nearly enough, and that the Bush administration's plans to eliminate the funding program would be disastrous for the border counties. The counties are reimbursed for housing arrested immigrants when federal immigration prisons fill up, but President Bush has called the program a failure. U.S. Representative Silvestre Reyes (D-El Paso), said it was ironic that Bush, who wanted to increase such funding when he was the Texas governor, now wants to get rid of the program.



FAR WEST

ALASKA — The federal government will provide grants totaling roughly \$650,000 a year for the next three years to help Anchorage's Sexual Assault Response Team better investigate sexual assaults and care for victims. Officials say they will use the money for such things as additional police and testing victims for date-rape drugs. The city's rape rate is 2.3 times the national average.

CALIFORNIA — The Manteca Police Department is looking for volunteers to staff its Citizens Observing and Reporting Traffic program. The program, created in 1996, calls for volunteers to check vehicles' speeds using borrowed radar guns, but has so far not generated much community interest.

What started as a routine check of a motel registry by two San Diego narcotics

detectives, Dan Billberry and Catherine Millet, ended in the recovery of about \$4 million in stolen jewelry and 120 vials of snake venom, and the arrest of two people. The officers went down the list of names and did a routine check on one who had a suspended license and a drug conviction. After following up, they found the stolen items, along with counterfeit money, stolen checks, drugs and burglary tools. Police said they did not know the origin or purpose of the venom.

Los Angeles County Sheriff Lee Baca is asking the Board of Supervisors to allow sheriff's deputies to question foreign-born jail inmates in order to determine their immigration status. Currently, two federal agents from Immigration and Customs Enforcement do the interviewing but because of the large numbers, they are only able to cover about 12 percent of the immigrant inmates. Deputies would be able to cover about half of the jail's foreign-born population.

Agents of the federal Bureau of Alcohol, Tobacco, Firearms and Explosives arrested Michael Alexander Allan, 46, on explosives-related charges after stopping him with a van-load of bomb-making materials. The materials, which included C4 and detonation cord, had been stolen from a magazine at the Crystal Springs reservoir in San Mateo County.

OREGON — Dannie Eaves, an employee at Joseph Bronze in Joseph, was pulled over by a convoy of patrol cars when the sculpture and busts he was carrying in his truck cab were mistaken for bodies. Eaves said that when he explained to police what they were, "We all had a good laugh. I bet they were really relieved."

The Klamath County district attorney has asked the state to change a policy so that child welfare offices can access state and national databases to conduct criminal background checks as part of their risk assessments. The move was prompted by the death of 4-year-old Cassandra Hodges, who advocates say would be alive today if child welfare workers had known that her mother's boyfriend had a 1990 manslaughter conviction.

Dundee Police Chief Dan Hess has been fired after several months of controversy that started when he laid off three part-time officers who were working at no charge. He also cited a City Council member for failing to obey a police order at a crime scene. The Newberg Police Department also complained about him, saying he made a racist comment about a Pakistani gas station owner.

WASHINGTON — The Tacoma City Council has approved the purchase of two computer workstations from NEC Solutions to help police search regional and national databases for fingerprint matches. The police department currently uses a system by Sagem Morpho, which only covers Pierce County.

On July 1, Seattle police rolled out a new Crime Scenes Investigation Unit, which will take over forensic investigations that previously were handled by detectives in individual units. The unit is a six-month pilot program with a budget of \$100,000.

Reluctant goodbye

California Highway Patrol Commissioner Dwight "Spike" Helmick was in tears as he announced his departure from the agency in June, just three months shy of mandatory retirement age.

Helmick, 59, led the agency for nine years, the longest tenure of any commissioner in the past five decades. He was appointed in 1995 by then Gov. Pete Wilson and reappointed by Wilson's successor, Gray Davis.

"It's tough. It's very, very tough," said a tearful Helmick, who had been asked at a news conference about his retirement after 35 years.

Under state law, Helmick was required to step down by age 60. Although he said he

Acevedo is the subject of a \$5 million civil claim alleging that he kept sexually explicit Polaroid photos of a fellow officer with whom he had had an affair in his state-issued car, and showed them to other high-ranking officers while on duty.

Helmick joined the agency in 1969 with his brother, John. His brother was killed in a patrol car crash in 1989.

While praised for his handling of the increased patrol duties CHP took on after the terrorist attacks of 2001, Helmick has also faced some criticism for giving officers a uniform allowance despite the state's budget problems. Helmick also arranged for a handful of officers to serve past their mandatory retirement age so they could qualify for higher pensions.

Schwarzenegger recently agreed to hire as many as 270 new CHP officers after Helmick complained that it was operating with 90 fewer than it did before the attacks.



Dwight "Spike" Helmick
A tearful departure

wanted to remain in the position, Helmick deferred to Sunne Wright McPeak, secretary of the Business, Transportation and Housing Agency, which oversees the Highway Patrol.

"We have a mandatory retirement and we need to prepare for it," said McPeak, who declined to say whether Helmick was forced out by the new administration. "We want to go through an orderly transition," she told The Associated Press.

Columnists for The San Francisco Chronicle, Phillip Matier and Andrew Ross, contend that Helmick ran afoul of Gov. Arnold Schwarzenegger's administration by dropping his Republican Party affiliation and listing himself as an independent after Davis's election, and endorsing Davis's idea of using CHP officers as sky marshals on commercial interstate flights.

Helmick defended his relationship with Davis. "I was very loyal to everyone I worked for, and I will not apologize," he told The Chronicle.

Most recently, Helmick has been accused of trying to derail the chances of a top contender for his post, Assistant Chief Art Acevedo, by disclosing the details of a sexual harassment investigation involving him.

In a letter sent to the CHP's general counsel in July, Acevedo's attorney demanded that Helmick stop "disseminating defamatory information which was obtained during a confidential agency probe."

Hoover cleans up

The private sector has claimed Reno, Nev., Police Chief Jerry Hoover, who left law enforcement in June after 36 years to take a senior position with an international consulting firm.

Hoover led the Reno agency for seven years. Before that, he served as chief of the St. Joseph, Mo., Police Department for three years. "The average police chief lasts 30 months. I've lasted 120 months," Hoover told The Associated Press.

His career began in 1968 as a patrol officer in San Diego after a tour in Vietnam. Hoover spent 11 years with the department before moving on to Boulder, where he stayed another 15 years. During that time, he earned a master's degree in public administration from Harvard University. In 1994 he was appointed chief in St. Joseph, and then left in 1997 for Reno.

Hoover has "accomplished a great deal



Jerry Hoover
Private sector's gain

and been a tremendous asset to the police department and the city of Reno," said City Manager Charles McNeely.

Among the changes he made was the creation of the Street Enforcement Team, a proactive unit that augmented patrol officers in cracking down on prostitution, graffiti, downtown drug problems and over enforce-

ment issues. A diversity training and hiring policy boosted the number of women hired since 1997 by 27 percent, and of African Americans by 33 percent. And a multi-jurisdictional gang task force has helped to drive down gang activity in the face of rising gang membership.

Since his appointment, the total cost of police claims involving civil rights violations have dropped from \$420,785 to zero, and the total cost of claims involving the department from \$458,189 to \$11,151 in seven years.

For Hoover, though, one of the high points came with the creation of the Reno Model PTO training program. The program, which he touted as the first innovation in police training since 1968, gives trainees a grounding in community-oriented policing, focusing on problem-solving and other tenets of the C-OP philosophy.

Deputy Chief Jim Weston, a 31-year veteran, will head the department on an interim basis while a national search is conducted. Weston previously served as chief in 1995, but left the post in 1996 after the city failed to meet his job security and financial requirements.

Straight to the top

After two months as Minnesota's acting commissioner of public safety, Michael Campion was given the job permanently in June.

Campion, 56, is a former narcotics agent with 32 years of service at the state Bureau of Criminal Apprehension. Prior to becoming commissioner, Campion served as BCA's superintendent — the first agent to rise to the bureau's top rank.

"We did a very extensive search and the clear consensus indication of the law enforcement community in Minnesota was that we weren't going to find anyone better," said Gov. Tim Pawlenty. "He has an outstanding reputation."

Campion was named acting commissioner after the resignation on April 16 of Rich Stanek amid a furor over his acknowledgement in a 1992 deposition that he had used racial slurs.

The Department of Public Safety has an annual budget of \$585 million and 1,941 employees, including the State Patrol, BCA, driver's license examiners and homeland-security and emergency-management staff. Campion will earn an annual salary of \$114,288.

In addition to delivering "gold standard" service to the local authorities who work closely with his agency, Campion said he would focus on moving toward zero highway deaths. More than 600 people die annually on Minnesota's roads each year.

Ready, aim, fired

After an eight-month suspension for publicly complaining about underfunding and understaffing at her agency, U.S. Park Police Chief Teresa Chambers has been fired.

Chambers was suspended and put under a gag order on Dec. 5 after telling various news media that the Park Police had a \$12

million budget shortfall and would need \$8 million for the upcoming fiscal year. She had been forced to cut back on patrols, Chambers said, because the Park Police are required to guard national monuments.

Two weeks after those statements, the National Park Service charged Chambers with breaking federal rules against public disclosure of budget discussions and lobbying. Chambers was dismissed in July after a review of her case by deputy assistant Interior secretary Paul Hoffman.

"There's been a lot of talk from Chief Chambers about the Park Police budget," said Tina Kreisher, an Interior Department spokeswoman. "I'd like to report that the Park Police operating budget has increased by 39 percent since the Bush administration took office."

With her appointment as chief of the Park Police in 2002, Chambers became the first woman to lead the 680-member force. Prior to that, she served as chief of the Durham, N.C., police, and spent 21 years as an officer in Prince George's County, Md.

Last year, Chambers was in charge of negotiating with "Tractor Man," a North Carolina tobacco farmer named Dwight Watson who drove his tractor into a pond on the Mall as a protest and claimed to have bombs. Although Watson surrendered peacefully and no explosives were found, a 47-hour standoff ensued that disrupted four rush hours.

Chambers has appealed her termination to the federal Merit Systems Protection Board, a quasi-judicial body, which has yet to issue a ruling.

Lobbying for more

New Montana Highway Patrol Chief Paul Grimstad says that additional hiring and higher pay for officers will be at the top of his administration's agenda.

The 46-year Grimstad is the third person to lead the patrol in the past four years.

"Paul's education and experience make him the right person to lead the patrol at this time," said Attorney General Mike McGrath. "The patrol will face some significant challenges in the next few years, including changing technology and the need for an expanded officer corps."

Grimstad, who holds a bachelor's degree in education from the University of Montana, graduated from the Highway Patrol Academy in 1981 and joined the agency two years later. He served in Missoula for 18 years before being named administrative captain in Helena.

In an interview with The Great Falls Tribune, Grimstad said the only way to stop the flow of officers from the patrol to city and county agencies is to make wages more competitive.

"All down through the ranks, we're not competitive with local agencies," added McGrath, who told The Montana Standard that Grimstad will lobby for the patrol during the 2005 Legislature.

Grimstad replaced Col. Randall Yeager, longtime pilot for the patrol's "bear-in-the-air" traffic enforcement program. Yeager served as chief for just four months before retiring for a career in aviation.

His predecessor, Shawn Driscoll, left to take a security job with an Arizona trucking company.

Portland follows others' lead on shootings

While it is generally the smaller agencies that look to the larger to set trends and examples, in Oregon it was the Portland Police Bureau that turned out to be a step behind the many who already document all instances in which their officers point their weapons.

A new rule requiring the state's largest police force to do the same took effect on July 1. The policy makes good on a recommendation last year by an outside consultant who examined more than three years of Portland police shootings. The policy change gained further impetus earlier this year with the shooting death of an unarmed black motorist.

James Jahar Perez, 28, was shot through the heart on March 28 after being pulled over for failing to properly use a turn signal. Officers said they feared the victim was reaching for a weapon. Perez was buckled into the driver's seat of his vehicle when he was killed.

An ex-convict who has served time for drugs and burglary offenses as well as for assault on a police officer, Perez was found to have high levels of cocaine in his system. An autopsy also found bags of what appeared to be the drug in his mouth and pants pockets.

A grand jury found no basis for indicting the officers, but a public inquiry was held following the grand jury proceedings. The additional scrutiny was justified, said Multnomah County District Attorney Michael Schunk, by the death in 2003 of

Kendra James.

James, a black woman, was also unarmed when she was shot by police during a traffic stop. No criminal indictment was brought against the officer, who said he feared for his life when James started to pull away with him stuck halfway in the car.

The James case led to the resignation of former chief Mark Kroeker. Before his departure, however, Kroeker set up at least one of the community groups whose input led to the creation of the department's new policy, said Assistant Chief Stanley Grubbs, commander of the PPB operations branch, which includes patrol and traffic.

Kroeker formed a committee called the Community Policing Organizational Review Team (CPORT). It was one of the groups, along with the Albina Ministerial Alliance, that called for the reporting requirement, said Grubbs.

"We were aware that other comparable cities and actually larger cities, such as Los Angeles, had been using a use-of-force report for years, some for decades," he said in an interview with Law Enforcement News. "We did a metro area [survey] of those agencies around us. What we found was that we were the only department, locally, not using a separate, use-of-force report to obtain and collect data and information on those times when an officer would use physical force."

Among the smaller agencies in the area that have long documented the pointing of weapons are the Hillsboro, Tigard and

Smaller Oregon agencies inspire a new policy of documenting when officers point their weapons.

Beaverton police forces. The Oregon State Police has required such a report since 1997. Troopers must notify a supervisor each time they point a gun at someone and write a report explaining the circumstances.

Lieut. Dale Rutledge, a state police spokesman, told The Associated Press that with deadly force being one of the "more serious things we do...there needs to be some oversight."

In the police bureau's defense, however, Grubbs noted that for years, the Portland agency has required a high degree of written articulateness from its officers. Its legal training, he said, provides officers with what they need to include in a report for a successful prosecution, and for mitigating civil liability.

Still, a separate document is needed, he acknowledged.

"When we started using the Taser and less-lethal munitions, we had established a report specifically for those deployments," said Grubbs. "But when we found through research that departments were capturing not only that information, but the use of the baton, etc., on the same kind of report, just one clean form, I would have to say it was a

reckoning. We understand that we need to do this."

But resistance has come from the department's line officers, said Grubbs. Union leaders are opposed to the idea, which they claim will inhibit officers from using deadly force when necessary.

"Officers pretty routinely find themselves in perilous positions," Det. Robert King, president of the Portland Police Association, told The AP. "Their response is predicated on circumstances created by the suspect. It's the suspect who initiates action, and the officer who responds. The part that is discouraging for officers is that having to complete a report like this disproportionately puts the burden on officers."

But the data collected in these reports will be used to help the department evaluate and enhance its training, said Grubbs. The information collected will be only about those times when an officer actually points a firearm at another person. Such actions as simply drawing a weapon, keeping it down, or making a tactical preparation will not be documented, he said.

"I think interesting information will come out will come out of it," Officer Greg Paschley told L&N, "to see what situations officers are choosing to [point their weapons], and it will help from the training aspect to see if our training needs to be changed in any way to help give officers other options, if appropriate."

The requirement, noted Grubbs, was a community expectation. "This is not something that should be viewed as harmful or that we're setting out to use in some type of punitive fashion," he said. "It is also giving persons an understanding that we are a public agency, we attempt to be transparent in everything we do. We want the community know what we're doing because we have nothing to hide."

PDs innovate to keep pace in cat-and-mouse game of speeding enforcement

Drivers can be reasonably sure that a camera installed on a lamppost is just what it looks like — a device aimed at catching speeders. But can they really be so sure about that innocent-looking golfer, or the homeless person on the median?

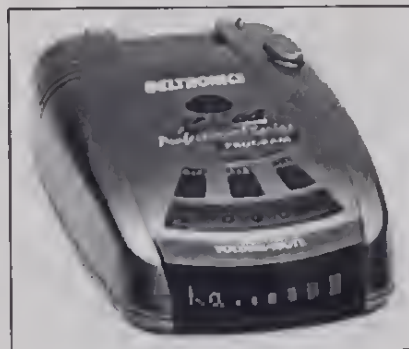
In recent years, police agencies have taken to disguising their officers in an effort to enforce speeding laws. For example, the Pennsylvania State Police in June gave out 27 speeding tickets when it dressed some officers in camouflage and deployed them to wooded areas along state highways, according to the state Department of Transportation.

Another agency, the Wilmington, N.C., Police Department, has taken to dressing its officers as golfers looking for their ball on the edge of a golf course, or as construction workers fixing street lights. When using disguises, agency officials told The Wall Street Journal, the number of tickets issued jumps from 34 in a day to 60.

Earlier this year, the police in Avon, Conn., took a more straightforward approach, teaming up with neighboring agencies to target traffic violators. Instead of the five or six on-duty officers who handle all police matters, it was able to borrow officers to do nothing but issue tickets. The result was a leap from 10 tickets on a typical day to as many as 50 or 60, said Avon Police Chief Peter Agnesi.

Ticketing campaigns have also been launched in Utah, New Mexico and Oregon.

Motorists and organizations that represent them have long complained that traffic regulation vigilance is more revenue-driven



Beltronics' latest contribution to the speeding enforcement "arms race."

than safety-driven, but police and transportation officials are quick to disagree. As department budgets are cut and more of what is left diverted to homeland security initiatives, the traffic enforcement tactics help them curb aggressive driving and make the roads safer.

The camera remains by far the most popular tactic, however. In the past year, the number of cities that use traffic enforcement cameras grew from 70 to roughly 100, according to the two companies that are the primary suppliers of the devices, Affiliated Computer Services, Inc., in Dallas, and Redflex Traffic Systems, Inc., of Scottsdale, Ariz.

According to Brian Steele, assistant commissioner of Chicago's Department of Transportation, on its first day of operation, one of the 10 cameras the city installed last November caught 55 violators. It records 39 a day on average, he told The Journal. As a result of the new devices, Chicago has issued

32,000 tickets, Steele said.

Still, there have been complaints. Some drivers claimed that they received tickets in the mail for violations that occurred when someone else was driving their vehicles. California, one of the earliest states to install cameras, took care of that issue by having its cameras snap photos of the driver as well as the license plates. Non-commercial drivers who amass four points within a year from violations of any kind get their licenses suspended.

But just as police come up with better ways to catch speeders, motorists come up with ways to thwart them.

"It's like the arms race," said Bill Johnson, executive director of the National Association of Police Organizations. "First police came up with radar, then there were radar detectors. Then police came out with lasers, and companies came up with laser detectors."

New York lawmakers are considering a bill that would outlaw the use of a spray that obscures license-plate numbers when viewed from above or the side by a camera. Another sprays makes plates illegible by reflecting light back at the camera.

And then there is the radar-gun detector. A sophisticated new line of detectors rolled out earlier this year by Beltronics USA, an Ohio-based firm, is able to identify radar guns using "POP mode" technology that can measure vehicle speeds in a quick short burst without triggering most radar detectors. Radar detectors are legal in passenger cars in most states, but outlawed in Virginia and Washington, D.C.

LAW ENFORCEMENT NEWS

Founded 1975.
A publication of
John Jay College of Criminal Justice,
City University of New York.
Jeremy Travis, President

Marie Simonetti Rosen
Publisher

Peter C. Dodenhoff
Editor/Associate Publisher

Jennifer Nislow
Associate Editor

Wendell Velez
Subscriptions

Nancy Egan
Contributing Writer

Correspondents: Walt Francis, Tom Gutschoff, T.L. Tyler, Ron Van Raelie

Law Enforcement News is © 2004 and published 15 times a year by L&N Inc. and John Jay College of Criminal Justice, 555 West 57th Street, New York, NY 10019. Telephone (212) 237-8442. Fax (212) 237-8486. E-mail: len@jjay.cuny.edu. Web site: www.lbjay.cuny.edu/len. Subscription rates: \$28 per year. Advertising rates available upon request.

Requests for permission to reprint any portion of Law Enforcement News in any form or medium should be addressed to Marie Simonetti Rosen, Publisher. ISSN 0364-1724. Law Enforcement News is available in microform from University Microfilms Inc., 300 North Zeeb Road, Dept. PR, Ann Arbor, MI 48106.

The face looks familiar. . .

Holding out hope for the viability of face-recognition programs

Facial recognition software may have failed to meet the expectations of law enforcement agencies in Tampa and other cities where it was implemented as a potential anti-terrorism tool, but the Pinellas County, Fla., Sheriff's Department contends that in the small, controlled environment it intends to use the technology, it will be a boon to deputies.

Under a \$250,000 plan paid for with a portion of an \$8 million community policing grant from the Department of Justice, 50 of the agency's 550 vehicles will carry a stand-alone digital camera and special software hooked up to the cars' laptops. One car began carrying the equipment in June, and 10 deputies have already been trained.

During an investigation or after a traffic stop, deputies will be able to take a photo, download it, and check it against a database of millions of felons, fugitives and others wanted by the FBI.

"This is a different application and a different program," said Sheriff Everett Rice when queried about the software's previous failure. Such systems, he told *The St. Petersburg Times*, need a clear, frontal picture of the person — something not possible when the Super Bowl was held in 2001 at Raymond James Stadium in Ybor City, Fla. Although the system did manage to identify 19 people with criminal records out of the thousands of faces it scanned, none were wanted by authorities.

Other systems in Virginia Beach and Tampa which scanned faces on the street failed to result in a single arrest. Tampa scrapped its program last year.

This summer, the National Institute of Standards and Technology mounted a competition in which vendors were challenged to cut error rates on systems tested in 2002 by 90 percent, according to a report by *The New York Times*.



Pinellas County Sheriff Everett Rice tests out the new facial-recognition system at the local airport.

Facial-recognition, which advocates of biometrics tout as the least intrusive of a variety of measures that include iris-recognition, gait-recognition, fingerprints and voice analysis, will account for an estimated \$144 million of a total \$1.2 billion market for such technology.

According to International Biometric, facial recognition revenues should climb as high as \$800 million by 2008.

Vüspace, the Billerica, Mass.-based firm that is administering the Pinellas program, is one of the few publicly traded companies in the industry.

It is just one of the firms that have pursued new strategies in the past few years. And the advances are having an impact. While Vüspace was just able to achieve a 50 percent recognition rate at Boston's Logan Airport in 2003, those results would improve to 90 percent if the trial was repeated now, Mohamed Lazzouni, the company's chief technology

officer, told *The Times*.

When Pinellas County deputies use the system, no one may be physically detained so that police can take a photo. Deputies must ask permission, although denial of permission does not mean that a picture cannot be taken in a public place. The system may only be used to determine identity when a license or vehicle registration is not forthcoming.

Officials deny that the system is an invasion of privacy. The photos are not taken secretly, said Rice. Among other rules outlined in a two-page instructional manual, children's photos must be deleted immediately after a computer match.

A field interview report must also be filed if a picture is taken. Cameras can be used to collect information that would not normally be gathered by forensic investigators. If not under arrest, a person is free to turn away from the camera. Those who roll up tinted windows, for example, will not be stopped. But if a picture is taken and the face does not match, it will be discarded.

Nonetheless, civil libertarians are not pleased.

"They claim they're not violating privacy because they're asking consent, but the real question is just how free will people be to refuse to take a picture?" asked Alessandra Meetze, communications director for the Florida ACLU. "It goes beyond your traditional police work, and it subjects innocent people to this electric police lineup before any crime has been committed," she told *The Times*.

With the new system, Pinellas law enforcement will be able to match local faces to those stored in databases in Broward, Miami-Dade, Leon, Hillsborough and Orange counties.

The paper chase:

S.C. cops swamped with unserved warrants

With a growing backlog of warrants for such nonviolent offenses as writing bad checks, law enforcement agencies throughout Charleston County, S.C., and neighboring jurisdictions continue to look for ways to keep their heads above haystacks of paper.

"What we're seeing from the numbers is that warrants are coming in faster than they can be served, and it's growing exponentially," said Charleston County Sheriff's Sgt.

B.K. Williams, a warrants division supervisor.

According to a report in *The Charleston Post and Courier*, the National Crime Information Center database contains nearly 1 million fugitives. It represents just those, however, who are wanted for felonies and serious misdemeanors. About 30,000 people on that list are from South Carolina.

At present, the Charleston County agency has nearly 45,000 outstanding warrants

charging fugitives with everything from bad checks and missed court dates to rape and murder. In Berkeley County, that figure totals more than 12,000, and in North Charleston, city police have some 3,700 active warrants on file.

Charleston County, which handles warrants from every court except municipal courts in the jurisdiction and all out-of-county and out-of-state warrants, has nine deputies dedicated to warrant service. On average, about 855 warrants are served every month, yet more than 1,400 are generated within that same period.

In North Charleston, about 60 percent of outstanding warrants are for people who failed to show up for court or comply with a judge's orders. Still, its backlog includes one murder, five armed robberies, eight assaults with intent to kill and six rapes.

While dangerous suspects and crimes against people are given first priority, authorities say, it is the lesser crimes making up the backlog that keeps law enforcement busy.

"No matter what we do, we can't keep up," Charleston Sheriff's Capt. Dana Valentine told *The Post and Courier*.

In one case, deputies caught a woman with 120 warrants for writing bad checks. Her arrest cleared those warrants from the books, but when she failed to show up for her court appearance, a judge wrote bench warrants for each of the 120 counts she was facing, leaving deputies right back where they started.

Sometimes they get lucky, though. In May, Charleston deputies caught a man with 11 outstanding warrants hiding under the floor of his mobile home. Deputies found him

when they heard a noise, and pushed aside a garbage bag that was covering a hole in the floor.

A few jurisdictions are taking steps to improve the situation. Dorchester County, for example, is one of four counties that are trying to reduce bad-check warrants through a program that allows merchants to collect restitution and court fees instead of applying for multiple warrants from a magistrate. The business gets its money, and the offender avoids jail. It is funded by a \$50 service fee placed on each bad check.

"We don't have any hard data yet, but the folks I've talked to think it's a good program," First Circuit Solicitor Robbie Robbins told *The Post and Courier*. "Anything that helps law enforcement not have to serve bad check warrants has to be a good thing."

Charleston police are also giving scofflaws a chance to pay their debts instead of serving jail time through a new program. According to Sgt. Regina Wilhite, the department has about 3,300 unresolved warrants.

The same principle is being used with those who have misdemeanor bench warrants against them. They are given the opportunity to pay their outstanding court fees. Either they pay 50 percent up front, with the rest due within a two-week period, or they end up in custody.

Wilhite said the approach is working, with reduced collection rates and cuts in the time and expense of jailing petty offenders.

"People are much more willing to come in and bring money to avoid going to jail for 20 or 30 days," she said. "It's not fair to inundate a county jail when there is another option."

Iowa tries to break a link in the meth-making chain

What it is and how it works is a secret, but Iowa officials claim that a chemical added to anhydrous ammonia will make the common farm fertilizer ineffective for the manufacture of methamphetamine.

"The development of this additive will aid in our fight against this poison and help us better secure our children," said Gov. Tom Vilsack.

Iowa did not lead the Midwest last year in meth lab seizures. That dubious honor went to Missouri, which had 1,065 compared to Iowa's 485.

Due to potential patent issues and a pending federal review, Iowa officials will not release the name of the additive, which was developed by researchers at Iowa State University, or describe exactly how it impedes the meth-making process.

"The science is good and I am very pleased with this happening in Iowa," Marvin Van Haften, the state's drug czar, told *The Associated Press*. "For the anhy-

drous, this has nationwide, maybe even beyond our nation" impact.

The additive has been tested, but more work needs to be done, said Ed Childress, a Drug Enforcement Administration spokesman. Among other issues is the chemical's effect on the environment, and the cost to farmers and farm dealers. Government tax incentives could potentially cover the cost of adding it to anhydrous ammonia tanks.

The additive is just the latest in a series of steps the state has taken to try to contain the burgeoning meth crisis. On July 1, restrictions were put on the purchase of cold medications containing the drug pseudoephedrine, one of a number of chemicals that goes into making methamphetamine.

Another measure has involved placing locks on anhydrous ammonia tanks. Some \$300,000 in grants will be sent to Iowa for more locks, which have proven effective in the 26 counties that have been supplied with them by the state.

'Reno 911!' is a cop-show spoof with an edge

Every so often, a TV program comes along that wins the hearts of cops with its portrayal of some slightly off-kilter fellow officers — "Barney Miller" being one of the most frequently cited examples. And then there is "Reno 911!" the Comedy Central hit show that follows the lives of seven of the most flagrantly dysfunctional deputies this side of a television screen.

A spoof of the reality show "Cops," "Reno 911!" premiered in 2003. Each week, viewers follow the adventures of Lt. Jim Dangle, the sexually confused officer in the skin-tight shorts; Officer Trudy Wiegand, who may or may not be dating a serial killer; and Deputy Junior, who tells a class of 10-year-olds during a classroom presentation that all of them will be raped, and teaches them how to make wine in prison which can then be traded for cigarettes.

What helps give the show its authenticity, however, is its setting. The program is videotaped at the Los Angeles Sheriff's Department's Carson station. If it looks familiar, it's because the facility has been used before, in the film "Colors" and in countless television commercials.

The real-life deputies and the show's cast and crew generally stay out of each other's way, said Sgt. Patrick Nadeau, a watch commander. "They're pretty good about that, and they just work around us," he told Law Enforcement News.

"Reno 911!" has used several off-duty deputies on the show, said location manager Tano Tropa. "They're all trying to get in



Thomas Lennon is one of the co-creators of the reality show spoof "Reno 911!" and stars as Lt. Jim Dangle.

here," he told LEN. "Several of them are actors and they would just like to be in for the day. They have the day off, and we're filming here, they come in."

The show uses the station's report-writing room, its hallways, briefing areas, and the jail when it has been empty. The crew sets up in the morning and leaves late at night, said Nadeau. In contrast to other TV comedies,

which take five to 10 days to complete, an entire episode of "Reno 911!" can be done in just three days. In all, the show has set up camp at the Carson station three times.

Very few on-duty officers appear in scenes, but then again, it would be hard to tell if they did because "we seem to blend in pretty well together," said Nadeau.

"It's funny because you know the

personalities of the actors and then you see how they act on TV ... To see the end product really amazes us," said Nadeau.

What is surprising to the deputies, he said, is how slowly the show is shot — and "Reno 911!" is one of the fastest paced programs around.

"What they do is so tedious," said Nadeau. "We're two types of people. They're perfectionists, and everything we do has to be done right now, on the spur of the moment."

In case of an emergency, the "Reno 911!" crew can be packed up and out of the station in under 20 minutes, said Tropa.

"They are just a really nice group of people," he said of the deputies. "Anytime something's going on, we call and say, 'Is everybody alright?' They're like our family."

FBI computer project may hit the rocks

Continued from Page 1

turn the bureau into a modern agency that can fight terrorism as well as crime.

"The FBI needs systems like Trilogy in order to connect the dots," said Alan Davidson, associate director of the Center for Democracy and Technology in Washington. "Why is Congress considering even greater expansions in data collection, raising real privacy concerns, when the FBI is struggling to manage the data it lawfully collects today?"

Indeed, bureau officials said they would begin with a smaller version of the Virtual Case File that would have a reduced set of planned functions in a limited number of sites. It will only be expanded after the initial functions have been used reliably, said Zalmai Azmi, the FBI's chief information officer.

"The program is too large and too complex and too huge to say, 'On Monday, you'll come in and you're going to have VCF on your desktop,'" he told The Times.

Back in the spotlight, another LAPD beating — this time with a difference

Continued from Page 1

His order was hailed by committee chairman John Mack, who told The Daily News of Los Angeles: "If that happens, it means a 45-minute to an hour delay would not happen in the future. There will be no code of silence."

Roughly 90 to 100 categorical cases are investigated each year by LAPD internal affairs, the independent inspector general's office and, in some cases, the district attorney's office. Non-categorical cases are handled by supervisors in the division in which they occurred.

Borderline cases will be upgraded from non-categorical to categorical under the order. Such cases occur less than once a month, according to Cmdr. Eric Lillo.

Unlike the King case, where the officers were white, the officer who struck Miller is Hispanic. Hatfield has been removed from active duty and, along with the others, placed on administrative assignment pending the outcome of the investigation.

He and three others are specifically under investigation for the use of force during the arrest. Officers Phillip Watson and David Hale wrestled with Miller, said Bratton, and Officer Peter Bueno was videotaped apparently kneeling the suspect in the midsection.

Arnold Steinberg, a political consultant who has advised mayoral campaigns, called the incident the first "high-profile test of the post-Rodney King reforms."

The day of the beating, Mayor James Hahn moved quickly to stem public criticism. He said that should the officers be



As seen on a videotape made by a TV news helicopter, LAPD officers beat a suspect following a pursuit.

found to have broken the law, they should be fired and prosecuted. Hahn then appointed an 11-member committee that comprised a wide swath of the community, including African-American ministers and community activists. One of these Najee Ali, quit the panel after city officials expressed doubts about whether he should serve. Ali is awaiting trial on charges of identity theft and leaving the scene of a car accident.

In a departure from the past, the police department's inspector general is getting full access to reports generated by the agency's Professional Standards Bureau, which immediately launched an investigation. The eight officers involved in the incident were quickly separated so they could not agree on a common story.

Los Angeles County Sheriff Lee Baca said he will investigate allegations that his deputies provided misleading or incomplete

information to LAPD investigators. As many as eight deputies responded that night.

"According to the LAPD, they feel the deputies are not telling what they should," Baca told The Los Angeles Times. "It is my obligation to investigate the conduct here and explain why there are discrepancies."

Baca said that he was particularly angered by a report that a deputy assigned to the Compton station yelled "No rats here!" at a detective working on the investigation.

CHIEF OF POLICE Kansas City, Missouri

Kansas City, Missouri is a Midwestern community with a population of 441,500 covering 317 square miles in four counties. The Police Department is comprised of 1,307 law enforcement and 646 civilian employees. The Board of Police Commissioners is soliciting applications for the position of Chief of Police.

Requirements at the time of appointment are that the applicant must be not more than 60 years of age; have at least five years of executive experience in a governmental police agency; be certified to be in good physical condition by a surgeon or physician; be a citizen of the United States; and be or become a citizen of Missouri and a resident of Kansas City. Salary range is \$80,211 to \$151,296 per year. The Chief will be selected by the Board solely on the basis of executive and administrative qualifications and demonstrated knowledge of police science and administration with special reference to actual experience in law enforcement leadership. Resumes consisting of not more than four typewritten pages, should be submitted to:

Donna M. Wilson
Secretary/Attorney
Board of Police Commissioners
700 West 47th Street, Suite 1000
Kansas City, Missouri 64112
Telephone: (816) 360-4271
Fax: (816) 753-1536

Resumes must be received on or before close of business September 30, 2004.

Trace evidence

Scientists have discovered that the anthrax powder mailed in letters three years ago had a distinctive signature that may make it easier to match with a source, according to a progress report requested by U.S. District Judge Reggie B. Walton.

Walton is presiding over a lawsuit brought by Army bio warfare expert Dr. Stephen J. Hatfill, who claims that the FBI destroyed his reputation and career with a campaign of leaks suggesting that he was the anthrax insider.

In an effort to halt the lawsuit, and one brought by the widow of one of the victims of the attacks, the FBI asserted in court this year that the investigation called Amenthrax was at a critical juncture and that litigation could endanger its efforts.

The scientists' discovery may be the first test of the relatively new discipline of bioforensics, also known as microbial forensics, which emerged in the wake of the anthrax attacks. In this field, scientists conduct advanced testing on samples of anthrax and other organisms in hopes of uncovering clues as to where the bacteria was grown and what nutrient mix was used to produce them, among other factors.

"I think we have the science now to trace the anthrax to a particular lab," said Babetta L. Marrone, a cellular biologist in Los Angeles and a member of an FBI advisory group on bioforensics. "If I had to guess, I'd say what has the FBI stumbled is the non scientific stuff," she told *The Baltimore Sun*.

While finding the source lab itself will not crack the case, said Marrone, it will reduce the number of potential suspects.

Last year, scientists found that the bacteria taken from the letters was a mix of two slightly different samples allowing it to grow in a double pattern. Dozens of samples have been collected in the United States and in some foreign countries, but it is not known whether the FBI's hunt for a matching sample has succeeded.

Masters of disguise

Kids can spot them, so why would terrorists be fooled by federal air marshals dressed in "professional attire" sitting in cramped airplane seats during the dog days of summer?

That's the question being asked by the organization representing more than 1,300 air marshals. Under guidelines set by the Department of Homeland Security, marshals must have neatly trimmed hair and be clean-shaven. Some of the service's 21 field offices go a step further, requiring men to wear suits, ties and dress shoes while on duty, and women blouses, skirts or dress slacks. Casual wear is prohibited.

"If a 12-year old can pick them out, a trained terrorist has no problem picking them out," said John D. Amat, a spokesman for the Federal Law Enforcement Officers

Association

The issue of a dress code came up at the same time as did the special boarding procedures for air marshals. In May, the service issued a memo that changed its practice, no longer requiring agents to sign a logbook when they boarded. Some airports, however, have rejected that plan. In Boston, San Francisco and Washington, D.C., air marshals are still required to sign in and present their credentials.

Dave Adams, a spokesman for the Federal Air Marshals Service, said the FLEOA is misrepresenting the dress code. Air marshals, he said, can dress casually — just not too casually. Some, he said, were wearing blue jeans, shorts and T-shirts while on duty.

"In order to gain respect in a situation, you must be attired to gain respect," he told *The New York Times*. Air marshals would probably not gain the respect of passengers if a situation should occur, said Adams. But there is nothing in the guidelines that requires a suit a tie, he noted, and "nothing in the policy that places our federal air marshals at risk."

Eyes in the sky

Unpiloted drones equipped with thermal and night-vision components are being sent over the area surrounding Fort Huachuca, Ariz., by the Border Patrol in an attempt to spot illegal entry through what has become one of the busiest border-crossing points in the nation.

The overall cost of the mission will be at least \$10 million, with the government spending about \$4 million on the drones. It is part of the Department of Homeland Security's effort to achieve what it calls operational control over the border.

Each drone weighs approximately 1,000 pounds and has a 35 foot wingspan. The drones can stay aloft for 20 hours at a time, and will patrol at an altitude of 12,000 to 15,000 feet. According to officials, two will be used. They will be controlled remotely by pilots on the ground and can detect movement from 15 miles up, reading license plates, viewing occupants, and even detecting weapons.

Access denied

The first arrest in a sex crime that took place in a locked psychiatric ward in a Harrison, N.Y., hospital came nine months after the assault took place due to health-care privacy laws.

Two girls, one 18 and the other 15, were charged in June with an attack on a fellow patient in August 2003. The victim, who suffers from multiple physical and mental disabilities, was raped half a dozen times by her female roommates.

Investigators say hospital officials, citing privacy laws, would not allow them access to the crime scene.

"It often takes us days to get to a crime scene in the hospital, and they often will not even tell us if suspects are in the facility," Capt. Anthony Marraccini of the Harrison Police Department told *The New York Times*.

Privacy restrictions have led to antagonistic encounters between police and hospital officials in many of the 17 sexual assaults reported to the department by the facility since 2000.

"The case can be very strong when you take hair samples, check for pubic hairs, signs of a struggle or skin samples under the fingernails of a suspect," said Marraccini. Now, police have only the injuries suffered by the victim to go on, and her assessment by a doctor at another facility.

Roger Klingman, a hospital spokesman, told *The Times* that when a crime is reported at a state-run facility, the guidelines are clear. It is reported to police, who are allowed access to the scene. Nothing in the mental hygiene law prevents police from investigating a crime, he said.

The big sweep

A change in the strategy of the Border Patrol that resulted in sweeps throughout Southern California had members of the area's Latino communities staying home from work, keeping their children out of school and avoiding ethnic markets for fear that they would be targeted for arrest.

Nearly 160 people suspected of being illegal immigrants were arrested during sweeps in the cities of Corona and Ontario in June. Another 150 were captured in Escondido.

The operation was part of the newly created "interior checkpoint" tactic. Instead of making arrests at the border and at highway checkpoints, agents will now target undocumented aliens at public locations in communities as far as 100 miles north of that line.

Last year, U.S. Customs and Border Protection Commissioner Robert C. Bonner overturned an order by former San Diego sector chief William T. Veal not to arrest illegal immigrants on the street or question them anywhere except along the border and highway checkpoints.

Agents had questioned whether the order was a lawful one, and whether they should abide it. Many Border Patrol supervisors, in fact, were instructing subordinates to disregard it.

Bonner called the order "overly broad and restrictive." Veal has since retired.

Border Patrol officials insisted that law-abiding citizens had nothing to fear. The operation in Southern California is intelligence-driven, said Steve McPartland, a senior patrol agent in the San Diego regional office. Similar operations have been carried out for months throughout the Southwestern region.

"There has been an incredible amount of misinformation," he told *The New York Times*. "We're not targeting schools and churches and hospitals."

Making their case:

Suspects tell their side of story to grand juries

The days when defense attorneys were loath to allow a suspect to testify before the grand jury because the prosecutor could "indict a barn sandwich" appear to be gone in New York City. More often than ever, cops and criminals are now getting their chance to tell their stories.

In 2004, nearly 14 percent of felony suspects testified before grand juries in Brooklyn, according to the district attorney's office there. The highest figure among the city's five boroughs was in Staten Island, where 18 percent took the stand, and the lowest in Manhattan, with just 4 percent of suspect testifying.

Some of the cases have involved police officers.

"Grand jurors want to hear from the officer who discharged his gun," said Stuart London, an attorney who defended two officers in separate fatal on-duty shootings.

One of the officers was Richard S. Neri,

who testified before a Brooklyn grand jury in February about his shooting of 19-year-old Timothy Stansbury Jr. while patrolling the rooftop of a housing complex.

Neri, whom London described as very remorseful, was not indicted.

Another officer, Bryan Conroy, testified for nearly five hours about the shooting of African immigrant Ousmane Zongo, 35, in a Chelsea warehouse in 2003. Conroy, who described his "life-and-death struggle" with Zongo, avoided murder charges but was indicted on less serious manslaughter charges.

While most states and federal courts do not automatically allow the accused to testify before grand juries, New York City has granted such a right since 1978. Suspects may also be accompanied into the grand jury room by their attorneys, although their lawyers may not participate.

Prosecutors complain that putting

suspects before the grand jury gives defense attorneys the opportunity to spin a tale that can sometimes get their clients off the hook, but defense lawyers argue that it allows the grand jury to work the way it is supposed to — by ensuring indictments only if solid evidence exists.

The Legal Aid Society, which represents tens of thousands of defendants annually, said that in some years, grand jurors in some boroughs have failed to indict in 60 percent of cases in which Legal Aid clients have testified. The success rate has caused its attorneys to aggressively pursue the strategy, the organization told *The New York Times*.

Sara Sun Beale, a national expert on jury issues at Duke University School of Law, said the New York grand jury system should become a national model for screening out weak cases.

She told *The Times*: "Maybe this means that the New York practice of allowing the

defendant the right to have his lawyer in the grand jury and to testify is a really useful and desirable procedure that other states should think about adopting."

Among those who have received no true bills from grand juries recently is Al Goldstein, the founder and publisher of *Screw* magazine.

Charged in 1995 with carrying a handgun into a courthouse, Goldstein appeared before the grand jury wearing the same jacket crammed with the same items he had on his person when he was arrested, according to his attorney, Herald Prince Fahnneger.

Unloading cameras, tape recorders and other items before the 23-member jury, Goldstein explained that he forgot he was carrying the weapon, having just flown in from Florida where he has a license for the weapon.

The grand jurors voted not to indict.

Cashman:

You never stop learning as a police officer

By Brian Cashman

This marks the end of training. It all starts for real now.

New Hampshire law declares this a "part-time" academy. Don't be fooled. Very few people will recognize that distinction. Drivers will pay the full fine on any traffic tickets you write, not a "part-time" discount. The drunk drivers you arrest are not any less arrested because you are a part-time police officer. When the domestic dispute calls are dispatched, you can't duck 'em because you are a part-timer.

You're going to take every call they shove at you, regardless of your status. Today, you are police officers with all the duties and responsibilities that come with that honorable title. The dangers you face and the judgment calls you make will not be lessened due to your part-time status.

I have worked as a local municipal police officer, a federal special agent and a member of the New Hampshire state parole board. Each time I think I have seen it all, I learn something new. I hope the most important lesson you take from my remarks is this: Never stop learning as a police officer. It keeps you fresh and professionally prepared.

You want to know the hardest lesson I had to learn as a uniformed police officer? Getting to know myself and learning about

(Brian Cashman, C.P.P., C.F.E., is currently a senior manager for security and investigations for Comcast Cable Communications. He has 26 years experience in local and federal law enforcement, and investigations and security management, and holds a master's degree in criminal justice. This article was adapted from his recent remarks to a graduating New Hampshire Police Standards and Training class.)

my faults and overcoming them.

I grew up in a small city with one family of color, a black family, in town. I went to college in Massachusetts where I met and made friends with a few more people of color. I always considered myself a fairly liberal guy and "enlightened" about racial issues in our society. Me prejudiced? No way.

Next scene: About one year post-academy. I am on midnights and on patrol and see a vehicle clearly exceeding the speed

limits use to describe the extra attention they receive from police departments' guilty of DWB, or "driving while black."

It's a pretty embarrassing story for me, really. I share it because you will be working in a state that has a population of less than 5 percent people of color. It is quite possible that some of you may never have had a friend who was Hispanic, Asian or black. You need to know this about yourself. You need to know that you may have prejudices, and I am not here to preach to you about

progress in this area. We have. But police are human and have human flaws. If you read the paper or watch TV with any regularity, you know law enforcement's interactions with people of color are an ongoing issue in this country. Be aware of it and conduct yourself in the highest professional manner you can achieve.

I wish I could have that motor vehicle stop back. I may well have still issued the citation, but my demeanor would be more professional and far less hostile. It was uncalled for.

Next lesson. I worked as a civilian special agent for the US Naval Criminal Investigative Service. There I learned that you must love what you do, and take pride in your work. Always do the absolute best you can do, everyday. If you are not ready, willing or able to make this commitment, my advice is to get out now. Your duties are too important to take short cuts.

I worked a homicide investigation into the death of a U.S. Navy sailor. It was a high visibility case. The press and Navy brass and even U.S. senators were swarming all over the investigation. It took 90 days to locate the body, when I knew the victim was dead quickly after he went missing.

FBI statistics say if you don't have a suspect within 24 hours of the murder, you are not going to solve it. I didn't have a body for 90 days, so this was on my mind. My boss labeled this a "career case." It would either make my career by solving it or maybe break my career by not solving it.

For the first 49 days after the body was discovered, I worked without a single day off. My wife finally called a time out to point out that I had worked for seven straight weeks with no days off. I had to think about that, since it never occurred to me. So I stayed home that day.

After an hour or so, drinking a second cup of coffee with this stranger I knew once to be my beautiful wife, I leaned over to her and told her I understood her concerns, and I missed her too. But in thinking over what she had said, I told her I would not have changed a minute of it. I was doing what I loved, and that sailor and his family needed me. This murder was not going to get solved on a Monday through Friday schedule.

After we got a confession from the murderer and he was found guilty, I received all kinds of internal accolades and letters of commendation from NCIS and Navy command. What I did not know was that while the investigation was underway, and it was determined to be a homicide, my boss was told to take me off the case because I was too new and too young to handle it. The bosses, locally, regionally and at IIQ in

Continued on Page 11

"The hardest lesson I had to learn as a police officer? Getting to know myself and learning about my faults and overcoming them."

limit, so I move in. The car was traveling 15 miles per hour over the posted limit so I hit the lights. I get to the driver and I see there are five black men in the vehicle.

I could feel my stress level rising, my voice got loud and I barked commands at the driver and passengers. They complied with every one of my requests. I was trained, as you have been, to take command of the stop, but looking back honestly, I was over the top with my tactics. What crime had these guys committed? Speeding.

After the stop was complete and the vehicle went on its way, I recognized what I did. I had stopped them for speeding, but treated them like they had just committed a felony. Even though I did not know their race when I stopped the vehicle, my behavior and the way I treated these men after the stop was not too far off from the phrase

your prejudices. They are yours and you can keep them if you want.

Just understand and know that you have them. Also, know and understand that as soon as you put on that badge and go to work, your personal prejudices don't count for anything. When you put on that badge, you represent your town and the State of New Hampshire. The State of New Hampshire has no prejudices against anyone's color, ethnic background, gender or religion. Equal treatment under the law is the law of the land.

Equal treatment begins by treating people you stop the same way, regardless of color, gender or religion. Kind of basic, right? Check yourself in about six or nine months and see if you are executing on the plan of equal rights under the law.

I am not implying that we haven't made

issued citations than would be expected based on the residential or driving population. We state that there are numerous legitimate law enforcement practices that might produce such disparities, and that such a report is only a first step to identify places where we may want to ask for questions or get more information to better understand why disparities exist.

This study never set out to be a "gotcha" study, a study that would draw a white line signifying those departments that were guilty compared to those departments that were not guilty. Rather this study sought to identify communities about which further questions should be asked, not with the intent of finding a department guilty of racial profiling, but with the aim of making certain that the police were doing traffic policing in a fair and nondiscriminatory manner and making sure that the community knew and could observe this as well. While we share some of their concerns about measuring racial profiling and explicitly discuss these in the report, we believe that our analysis provides more specific and accurate information about traffic enforcement than any police agency in Massachusetts has ever received. In addition, any analysis of multiple jurisdictions (366 in this instance) will not be able to provide the same

amount of detailed analysis as a single site study.

Simplistically framing the debate on racial profiling around methodological issues ignores the value of traffic enforcement information in helping police understand and address the concerns of the community. Recent survey data both nationally and locally indicates that both white and non-white members of the community believe that racial profiling is widespread. Analysis of traffic information, although always limited, is critical to resolving this divisive conflict. The Institute on Race and Justice at Northeastern University continues to be committed to bringing police and community together in constructive dialogue.

Dr. AMY FARRELL, Associate Director,
Institute on Race and Justice,
Northeastern University

Dean JACK McDEVITT, Director,
Institute on Race and Justice

LISA BAILEY, Assistant Director of
Community Outreach,
Institute on Race and Justice

CARSTEN ANDERSEN,
Research Associate, Center for Criminal
Justice Police Research

ERICA PIERCE, Research Associate,
Center for Criminal Justice Police Research

LETTERS

Guilty of Oversimplification

To the Editor:

A recent commentary by Jack Riley and Greg Ridgeway [LEN, June 2004] misstated the findings of the Massachusetts Racial and Gender Profiling Report and demonstrated a lack of understanding of the report itself and the open, cooperative research process that produced it. From the start, Riley and Ridgeway frame our work as a racial profiling study, providing the following definition: "Racial Profiling is frequently defined as law enforcement activities — such as traffic stops, arrests and searches — that are initiated solely on the basis of race, unless police are looking for a specific suspect." For the record, definitions of racial profiling are more often much more complex, with some believing that it occurs when the police consider race as the sole variable and others concluding that it occurs when the police consider race at all. Unfortunately, these complexities seem to have eluded Riley and Ridgeway in their critique of the Massachusetts study.

From the beginning of our study, we explicitly state that our work does not measure individual officer bias or racial profiling as it is commonly defined. Instead, the report identifies communities where proportionately more non-white drivers are

Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.

Readers are invited to voice their opinions on topical issues, in the form of letters or full-length commentaries. Please send all materials to the editor.

FCC clears the air for public safety

Continued from Page 1

consultant for PSComm LLC, a strategic planning and marketing firm that specializes in public safety communication. In an interview with Law Enforcement News, Sines noted "It is a consensus, it's not something that was come up with by Nextel and forced down our throats. We in public safety have agreed with it — we're pretty happy with it."

A remaining point of contention, however, is whether the funds being provided by Nextel will cover the costs of relocating first responders to a different swath of the airwaves.

"The \$2.5 billion letter of credit from Nextel pales in comparison to the five to 10 billion that would be raised from a legitimate auction" of this spectrum given to Nextel, said Gene Stulp, coordinator of the First Response Coalition, a group that includes the National Black Police Officers and New York City's Metropolitan Fire Association, which has called on Congress to overrule the FCC's decision.

That money could be earmarked to solve the nation's interoperability problem, he said in a prepared statement.

"To anyone who understands how thinly stretched the budgets of fire, police and other emergency responders are today," said Stulp, "this 'plan' is an extremely poor action that failed the public."

Rethinking wiretap capability

Internet-based phone and broadband services may be put under the same restrictions that require telecommunications carriers to make their lines wiretap-friendly to law enforcement, under a rule that the Federal Communications Commission plans to propose.

Cable's broadband offerings were deemed "information services" by the agency in 2002 and thus exempt from the Communications Assistance for Law Enforcement Act (CALEA), which regulates traditional phone networks.

Analysts and government officials told USA Today that such a label could lead to further rulings by the FCC exempting cable and phone companies from requirements that would oblige them to open their broadband networks to rivals such as Earthlink and AOL. The latest move by the commission was designed to quell fears held by Justice Department officials that FCC plans to deregulate broadband would hinder the FBI's ability to monitor calls made by criminals and terrorists using broadband lines via Internet-based phone services.

The National Cable and Telecommunications Association, which represents cable operators, said it had no objections to being placed under CALEA requirements. In exchange, the FCC wants the Justice Department's solicitor general to seek a Supreme Court review of an appellate ruling that struck down the information-services designation.

DoJ looks to have an impact in 15 cities with focus on worst violent offenders

Those cities where crime has not fallen as precipitously as in other jurisdictions got a little extra attention from the Justice Department this summer in the form of "Impact Teams" — groups of federal agents that will focus on nabbing and prosecuting the worst violent offenders.

The initiative, called Violent Crime Impact Teams (VCIT), is based largely on the government's Project Safe Neighborhoods program, said Michael Kulstad, a spokesman for the Justice Department. The program, launched in 2001, provided \$533 million that year to all 94 judicial districts, funding 113 new federal prosecutors and 600 state and local prosecutors to work with police agencies and community groups on gun-related cases. [See LEN, Oct. 15/31, 2003.]

In Fiscal Year 2003, the Justice Department filed more than 10,500 federal firearms cases under Project Safe Neighborhoods. Firearms prosecutions handled through the program increased by 68 percent in the past three years.

Impact teams were dispatched to 15 cities in May and June: Albuquerque, N.M.; Baltimore, Md.; Chattanooga, Tenn.; Tampa, Fla.; Miami, Richmond, Va.; Greensboro, N.C.; Tulsa, Okla.; Pittsburgh, Pa.; Las Vegas, Nev.; Columbus, Ohio; Philadelphia, Pa.; Los Angeles, Calif.; Tucson, Ariz.; and the Washington, D.C.-Northern Virginia region.

"Every city has 'those guys,' those guys that everyone in the community knows about and most likely the cops know who they are, too," Kulstad said in an interview with Law Enforcement News. "Most of those people are known to the criminal justice system... That's our goal, to go and

"What we try to do is literally make life miserable for them."

— Maj. Mark McCrory, Tulsa, Okla.

get them."

According to the Justice Department, the cities were chosen on the basis of such factors as number of recent homicides, violent crime numbers, and the opportunity for law enforcement to make a significant difference in the community. In those jurisdictions where crime has decreased, the objective of the teams will be to continue and strengthen that trend, said DoJ officials. Where crime has increased, federal agents will work to reduce those numbers.

Each team consists of members of the Bureau of Alcohol, Tobacco, Firearms and Explosives; the Drug Enforcement Administration; and the U.S. Marshals Service. They will be assigned to the cities for six months. A federal prosecutor will accompany each team to handle the prosecutions of those arrested.

In Tulsa, an ATF agent was assigned in May to Maj. Mark McCrory's selective enforcement unit, a squad that uses a directed patrol effort to hit crime hot spots. The unit has been going after active gang members and their associates since April 1.

"The vast majority are responsible for the violence we had last year and the spring of this year," McCrory told LEN. "What we try to do is literally make life miserable for them."

We try to get them on any kind of criminal case we possibly can. What we find is... a lot of times it's easier to get them on a dope case than a shooting case where there are no witnesses. Our effort is narcotics and guns and so far we've been putting up unbelievable numbers in that."

While McCrory praised the Impact Team program for strengthening the police department's numbers and expanding its resources in ways only the federal government can accomplish, he stressed that the work has not changed.

"One thing I think is a misconception is that this is not salvation, these guys are here to help us," McCrory said. "They're not there to fix our problems that we might have, or have such an impact that all of a sudden things are different because they're here. We're doing the exact same thing prior to them being here."

In Albuquerque, violent crime has been reduced by 60 percent from its highest level in 1992, U.S. Attorney David Iglesias told The Associated Press. "There is one cancer, however, that Albuquerque has and that's homicide using firearms.... This cancer is treatable."

A VCIT team was dispatched to the city in May. Last year, Albuquerque's violent crime rate was more than twice the national average, or 983.6 per 100,000 population, compared to 479.3 per 100,000 nationally. Its homicide rate was also nearly double the national average, as well — 10.9 per 100,000 compared to 5.7.

Referring to the strides made by Albuquerque in recent years, Public Safety Director Nick Bakas told The AP that while the numbers are good, "they can be better."

Getting away with murder is easy — and a source of concern — in Richmond

Continued from Page 1

acquitted in other jurisdictions. Richmond also had a lower conviction rate — 62 percent as compared to 66 percent.

"I spent 90 percent of the time doing not legal work but trying to empower witnesses into doing the right thing," Claire Cardwell, a former deputy commonwealth's attorney who is now in private practice, told The Times-Dispatch. "It takes more people experience than legal experience to prosecute homicides in Richmond. A lot of that is just hard work and determination."

Fear of retaliation is real, said defense attorney Craig Cooley, whose clients have included Beltway sniper Lee Boyd Malvo.

"We're not the ones who have to walk to the corner and send your kids to school and not know if someone's going to retaliate," he told The Times-Dispatch.

Prosecutors, police and other officials agree that most slayings happen at night, with victims and perpetrators coming from the same broken families and underprivileged communities.

"These aren't 'Murder, She Wrote' cases," said Commonwealth's Attorney David M. Hicks. "This is street crime."

The vast majority of killers — and victims — already have criminal records. Said Learned D. Barry, deputy commonwealth's attorney: "We've got people — they're your eyewitness now. Two weeks later,

they're a suspect. Two weeks after that, they're a victim."

Richmond is one of 15 cities to which teams of federal agents are being dispatched to help deal with violent crime. [See related article, this page.] The "Impact Teams" will be composed of members of the Bureau of Alcohol, Tobacco, Firearms and Explosives; U.S. Marshals Service; and the Drug Enforcement Administration. Each team will be assigned for six months, with a federal prosecutor handling the cases of those charged.

Yet despite all this, there has been improvement, some contend.

"The police are getting far more aggressive," said Barry. "And we're getting a little bit better. We're doing things here at the courthouse a little bit better."

One of the nagging problems has been the loss of seasoned investigators. While there are still talented investigators in Richmond, the department has lost much of its institutional knowledge with the loss of a number of top detectives who have retired or moved on to other agencies, said G. Manoli Loupassi, the chairman of the City Council's Public Safety Committee.

"I can name detective after detective" who has left, he told The Times-Dispatch.

A lingering rift between prosecutors and police has also not helped.

Said Loupassi: "I don't know how we're

going to resolve the commonwealth's attorney-police chief issue. I pull my hair out over it. Things have been said and done. I don't know how you get past it."

While Chief Andre Parker declined to comment on the issue for The Times-Dispatch, he did say that his department and the commonwealth's attorney's office work together on everything from traffic tickets to murders. "I don't think there's a lack of effort or desire on their part," he said.

There has been marked improvement in the capabilities of the department's detectives, Parker said.

A widely seen turning point was the appointment last year of Lt. John Venuti as head of the violent-crimes squad. Venuti is "top shelf," said Loupassi.

Parker also plans to return officers to neighborhood beats as a tool for developing a more solid relationship with community members and, hopefully, more cooperation from them in criminal cases.

The commonwealth's attorney's office has also made changes, said Barry. Efforts to coordinate with federal prosecutors and DEA agents, as well as multijurisdictional grand juries and increased funds to protect witnesses, have all had an impact, he said.

"I'm getting more experienced personnel," Barry added. "They were babies two years ago. Now they've had experience with some of the toughest cases around."

UPCOMING EVENTS

OCTOBER

- 4-8. Criminal Intelligence Analysis Training.** Presented by The Alpha Group Center for Crime & Intelligence Analysis Training, St. Paul, Minn. \$525.
- 4-8. Criminal Investigative Analysis (Criminal Profiling).** Presented by The Alpha Group Center for Crime & Intelligence Analysis Training, Palatka, Fla. \$525.
- 5-6. Tactical Edge Seminar.** Presented by Calibre Press, Grand Rapids, Mich.
- 7. Managing Generation X, Y & the Boom.** Presented by the International Association of Chiefs of Police, Oshawa, Ont.
- 11-13. WMD & the Intelligence Function.** Presented by the S2 Institute, Tampa, Fla.
- 12-13. Tactical Edge Seminar.** Presented by Calibre Press, Miami Beach, Fla.
- 12-13. Tactical Edge Seminar.** Presented by Calibre Press, Panama City, Fla.
- 14-15. CABO/WMD for First Responders.** Presented by the S2 Institute, Tampa, Fla.
- 17-23. Providing Executive Protection.** Presented by the Executive Protection Institute, Winchester, Va. \$3,190.
- 18-19. Assessing Terrorism-Related Risk.** Presented by the S2 Institute, Clearwater, Fla.
- 18-22. Criminal Intelligence Analysis Training.** Presented by The Alpha Group Center for Crime & Intelligence Analysis Training, Longmont, Colo. \$525.
- 19-20. Tactical Edge Seminar.** Presented by Calibre Press, Oklahoma City.
- 19-21. Tactical Edge Seminar.** Presented by Calibre Press, St. Louis.
- 20-21. Body Language & Interviewing.** Presented by Hutchinson Law Enforcement Training, Berlin, Conn.

\$250.

- 20-22. International Ethics Conference.** Presented by the Institute for Law Enforcement Administration, Plano, Texas. \$139.
- 24-27. Protection Pistol Defense.** Presented by the Executive Protection Institute, Berryville, Va. \$990.

NOVEMBER

- 1. SWAT Supervision & Management.** Presented by the International Association of Chiefs of Police, Knoxville, Tenn.
- 1. Mentoring for the Retention of Public Safety Personnel.** Presented by the International Association of Chiefs of Police, Allen, Texas.
- 1-5. Crime Analysis Training.** Presented by The Alpha Group Center for Crime & Intelligence Analysis Training, Dallas. \$525.
- 1-5. Criminal Investigative Analysis (Criminal Profiling).** Presented by The Alpha Group Center for Crime & Intelligence Analysis Training, Columbus, Ohio. \$525.
- 2. Multi-Agency Incident Management for Law Enforcement.** Presented by the International Association of Chiefs of Police, Dundalk, Md.
- 2. Advanced Tactical Management for Commanders & Supervisors.** Presented by the International Association of Chiefs of Police, Chesterfield, Va.
- 2-3. Tactical Edge Seminar.** Presented by Calibre Press, Long Island, N.Y.
- 3-4. Interview & Interrogation Methods.** Presented by Hutchinson Law Enforcement Training, Weymouth, Mass. \$250.
- 3-4. Tactical Edge Seminar.** Presented by Calibre Press, Orlando, Fla.
- 4. Ethical Standards in Police Service.** Presented by

the International Association of Chiefs of Police, Charlotte, N.C.

- 4. Managing the Training Unit.** Presented by the International Association of Chiefs of Police, Lafayette, La.
- 7-9. Principles of Protective Services & Detail Operations.** Presented by the S2 Institute, Clearwater, Fla.
- 8. Excellence in the FTO Program.** Presented by the International Association of Chiefs of Police, Kansas City, Mo.

8-12. Crime Analysis Training. Presented by The Alpha Group Center for Crime & Intelligence Analysis Training, Hamilton, Ohio. \$525.

- 8-12. Ethics: Train the Trainer.** Presented by the Institute for Law Enforcement Administration, San Bernardino, Calif. \$545.
- 9-10. Tactical Edge Seminar.** Presented by Calibre Press, Little Rock, Ark.
- 9-10. Tactical Edge Seminar.** Presented by Calibre Press, Brunswick, Maine.

For further information:

Addresses & phone/fax numbers for organizations listed in calendar of events.

Alpha Group Center for Crime & Intelligence Analysis Training, P.O. Box 8, Montclair, CA 91763. (909) 989-4366. Fax: (909) 476-8271. Email: crimcrush@aol.com. Web: www.alphagroupcenter.com.

Calibre Press, (800) 323-0037. Web: www.calibrepress.com.

Executive Protection Institute, Highlander Lodge, P.O. Box 802, Berryville, VA 22611-0802. (540) 554-2540. Fax: (540) 554-2558. Web: www.personalprotection.com.

Hutchinson Law Enforcement Training I.L.C., P.O. Box 3110, Windsor Locks, CT 06096. (800) 627-5480. Fax: (860) 627-5609. Email: dhutchlet@aol.com. Web: www.hutchinsonlct.com.

Institute for Law Enforcement Administration,

5201 Democracy Drive, Plains, TN 37504. (972) 244-3430. Fax: (972) 244-3431. Email: ILIA@calnet.org.

International Association of Chiefs of Police, (800) 843-4227, ext. 221. Email: markey@theicop.org. Web: www.theicop.org.

Investigators Drug School, P.O. Box 1739, Fort Lauderdale, FL 33302. Phone/fax: (954) 753-9493.

National Center for Prevention of Child Abuse, 99 Canal Center Plaza, Suite 510, Alexandria, VA 22314. (703) 549-4253. Web: www.nclaa-apn.org.

National Institute of Justice, c/o Institute for Law & Justice, (703) 684-5000. Fax: (703) 739-5533. Email: njps@bji.org.

S2 Institute, 1261 South Missouri Avenue, Clearwater, FL 33756. (727) 461-0066. Fax: (727) 449-1269. Web: www.s2institute.com.

Forum: Never stop learning as a cop

Continued from Page 9

Washington, wanted a more senior agent to take this high-visibility case. My boss declined to take me off, telling the higher-ups that "when the kid makes a mistake, I will re-assign the case, but he hasn't made any mistakes and he is doing as well as anyone else and he's hungry." I am forever grateful for his faith and confidence in me.

I never knew he was getting this pressure until after the case was resolved and the letters of commendation started coming in. I went to him and said, "Gee Bob, you'd think we had never solved a murder before." He then told me they were so pleased because they kept on thinking I was going to blow the case, and when I didn't, they were that much more grateful. I loved what I was doing and I took pride in making sure this case got resolved, even if it meant time away from home for awhile.

You folks have had a taste of time away from home over the last few weeks so you understand the pressures it can bring to your families.

Last lesson: I served for over two years on the N.H. Adult Parole Board. The lesson I learned there is that fortune favors the prepared. We used to see about 25 to 30 candidates for parole at each session. One week before a session, the parole office would mail the case files to our homes so that board members could read them over and think about them prior to the hearings.

In the N.H. Corrections Department, if the inmate has met the minimum sentencing requirements set by the court and done what has been requested inside the walls by DOC, it is anticipated that parole will be granted.

About two years ago, we heard a petition for parole from an inmate convicted on

multiple counts of sexual assault against minors. The three sitting members of the board each had their opportunity to ask the inmate questions relevant to his parole status.

The last parole board member to ask questions displayed stunning insight with her preparation. Remember: the inmate was a convicted pedophile.

She asked him how the assault on his own nephew affected the victim. There was a long pause. The inmate answered, "He committed suicide."

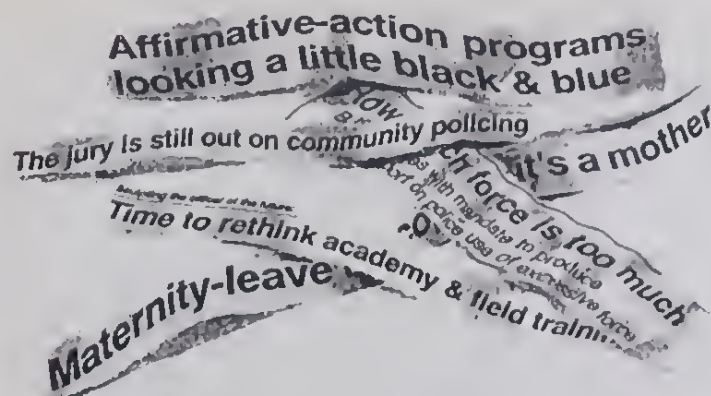
She then asked him how many victims in total he assaulted. He tried to give an inmate's response that he was convicted on three counts, but she stopped him and said that is not what she asked. She restated the question. The inmate paused and answered, "About 100." I audibly caught my breath.

Parole was not granted — on a technicality — but in our judgment this person presented an ongoing threat to public safety. The information that we got from the answers to the other board member's two questions were not contained in any paper files we reviewed. She was prepared and we were lucky because of her preparation.

Be prepared for your assignments. Sometimes you will be rewarded with luck.

What you are now engaged in is nothing less than noble work. Surely you can't be doing it for the money! You are motivated because you want to make a difference, give something back to the community and help bad situations get better. Know yourself, take pride in your work and love what you do. And remember that luck favors the prepared. And as the sergeant on the TV show "Hill Street Blues" used to say, "You be careful out there."

Headlines are not enough



To do a tough job in changing times, you need timely, comprehensive, straightforward information. For the latest trends and ideas, turn to **Law Enforcement News**. Fifteen times a year, we'll put you in touch with the thinking of those who are shaping law enforcement policy and practice.

YES! I'm ready for the professional advantage at Law Enforcement News. Enter my one-year subscription and bill me just \$28.00. (Return to LEN, 555 W. 57th Street, New York, NY 10019. Phone: 212-237-8442. Fax: 212-237-8486.)

Name/Title _____
Agency _____
Mailing Address _____
City/State/ZIP _____

(804)

Law Enforcement News

A publication of John Jay College of Criminal Justice/CUNY

Back in the spotlight

Another videotaped
police beating in L.A.,
only this time calm
and reform prevail.

Story, Page 1.



In this issue:

Getting away with murder:
Why it's easier in Richmond.
Page 1.

Awaiting the ax: What fate
awaits FBI computer
upgrade? Page 1.

Clearing the air: FCC
makes more room at 800mhz
for public safety. Page 1.

Around The Nation: A
coast-to-coast roundup of
police news. Pages 2, 3.

People & Places: Reluctant
goodbye; Hoover cleans up;
straight to the top; ready,
aim, fired; lobbying for more
in Montana. Page 4.

Small-town thinking:
Portland follows others' lead
on weapons policy. Page 5.

Cat & mouse: Police
innovate to keep pace with
speeders. Page 5.

The face is familiar:
Pressing the case for facial-
recognition software. Page 6.

The paper chase: Cops
swamped with unserved
warrants. Page 6.

Breaking the chain:
Additive may stick it to
meth-makers. Page 6.

Keeping it real: "Reno
911!" is a spoof with an
edge. Page 7.

Short Takes: Easy-to-digest
news capsule. Page 8.

Making their case: Suspects
tell their side of story to
grand juries. Page 8.

Forum: You never stop
learning. Page 9.

Making an impact: DoJ
focuses on violent crime in
15 cities. Page 10.

Upcoming Events:
Professional development
opportunities. Page 11.

John Jay College of Criminal Justice/CUNY
Law Enforcement News
555 West 57th Street
New York, NY 10019

NON-PROFIT ORG.
U.S. POSTAGE
PAID
New York, N.Y.
Permit No. 1302

WHAT THEY ARE SAYING:

"It's like the arms race. First police came up with radar, then there were radar detectors. Then police came out with lasers, and companies came up with laser detectors."

— Bill Johnson, executive director of the National Association of Police Organizations,
on the cat-and-mouse game of speeding enforcement. (Story, Page 5.)